

EXHIBIT 1



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 28 2000

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Don R. Knowles
Director, Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Dear Mr. Knowles,

As you are aware, the Office of Pesticide Programs (OPP) of the Environmental Protection Agency has responsibility for consultations with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (FWS) when pesticides may affect threatened and endangered (T&E) species. We have tried a variety of different consultation approaches in the past, but national registration of numerous pesticides that can collectively be used in a wide variety of places has proven to be a very difficult subject for consultations under the Endangered Species Act, which was designed primarily to look at local projects. We have been discussing with FWS staff, and to a lesser extent with NMFS staff, how we can best address the potential effects of pesticides of concern on federally listed T&E species. An efficient approach should help us to achieve our collective goal of offering on-ground protection of listed species and furthering the conservation of listed species.

As a result of these various discussions, I am requesting that we undertake a Proactive Conservation Review in accordance with Section 5.1 of the NMFS and FWS Consultation Handbook. Such a programmatic review should consider at least three basic areas: the criteria by which concerns for T&E species are "triggered"; the risk assessment procedures used by OPP to address non-target species, including T&E species; and protective measures that can be used to ensure that T&E species will not be exposed to pesticides at levels of concern. Our understanding is that such a programmatic review will also identify the kinds of situations where formal consultation may be needed for specific pesticides or particular T&E species, as well as those situations where OPP can institute protective measures without formal consultation.

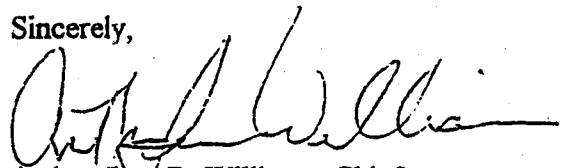
In addition, my office is committed to contributing to species recovery efforts, within the scope of our resources and statutory authority. To that end, my office has taken a number of steps, including hosting a web site which among other things, houses listed species fact sheets for a number of species and provides access to our listed species/county data base. We also have a toll-free telephone number which the public may call: 1) to discuss endangered species and pesticide issues with staff, 2) to obtain information about particular species or pesticides,

and 3) once upgraded, to have faxed "on-demand", species fact sheets or interim bulletins. Additionally, we have published and provided to schools, parks and the general public, hundreds of thousands of copies of an endangered species poster and an endangered species picture book. These materials are aimed at educating our youth and instilling in them the conservation ethic so critical to species recovery. I would value Service input, either before or in conjunction with the Proactive Conservation Review on what additional activities you believe we could undertake, and what additional educational materials you believe we could produce to help conserve all listed species.

I have had discussions with the FWS regarding the desirability of conducting a programmatic review, and they are supportive of this effort. In addition to our somewhat limited discussions with Craig Johnson and Donna Brewer of your staff, it is my understanding that FWS has discussed the concept of a Proactive Conservation Review on pesticides with them as well. I believe that all parties would benefit and have expressed an interest in participating in the process. Therefore, I propose that we formalize a core group of the three agencies to conduct a Proactive Conservation Review. Our ultimate goal is to ensure T&E species are not exposed to pesticides at levels of concern keeping in mind that the 1988 amendments to the Endangered Species Act stated we should try to minimize impacts on pesticide users as well.

I appreciate your assistance in this important matter, and I look forward to your response and to our agencies working together cooperatively. If you would like to discuss this request, please feel free to call me at (703) 305-5239.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arthur-Jean B. Williams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Arthur-Jean B. Williams, Chief
Environmental Field Branch